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February 10, 2022

**VIA ECF**

**MEMORANDUM ENDORSED**

Honorable Magistrate Judge Gabriel W. Gorenstein  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

RE: *N.M., individually and on behalf of N.C., v. N.Y.C. Dep't of Educ.,  
1:21-cv-10374(GHW)(GWG)*

Dear Judge Gorenstein,

I am the attorney for the Plaintiff in the above-referenced action, wherein Plaintiff seeks attorneys' fees incurred in the administrative proceeding under the Individuals with Disabilities Education Act ("IDEA"), 20 U.S.C. § 1400, *et seq.*, as well as the instant federal action. The parties have been able to successfully resolve Plaintiff's claims for enforcement of the Findings of Fact and Decision under 42 U.S.C. § 1983.

The parties write to propose a briefing schedule pursuant to the Court's February 7, 2022, Order (Dkt. 11). As the parties are optimistic that this matter will be resolved through settlement, the parties jointly propose that the Court forego an initial pretrial conference and order the following briefing schedule:

- Plaintiff's motion for summary judgment will be due on June 17, 2022.
- Defendant's opposition will be due on July 8, 2022.
- Plaintiff's reply will be due on July 22, 2022.

The briefing schedule proposed above will afford the parties additional time for settlement negotiations. At this time, the parties believe that they can resolve the matter without further Court intervention. In the event the parties reach a point in settlement negotiations where we believe a settlement conference would aid and advance settlement, we will write the Court to request such a conference.


Respectfully submitted,

s/ Erin E. Murray

cc: Mark Toews (via ECF)  
Attorney for the Defendant

The February 14, 2022, conference is adjourned sine die. The briefing schedule proposed in this letter is approved.

So Ordered.

  
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GABRIEL W. CORENSTEIN  
United States Magistrate Judge  
February 11, 2022